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August 27, 2024

VIA ECF

TarnofskyNYSDCChambers@nysd.uscourts.gov
Hon. Robyn F. Tarnofsky, U.S.M.J.
United States District Court
500 Pearl Street, Room 703
New York, NY 10007

Re: *In re Application of Eduardo Cohen Watkins*
Case No.: 1:24-mc22-JGK-RFT

Dear Judge Tarnofsky:

The stipulation and proposed order regarding production of documents is so ordered. The stay of this matter is extended through October 14, 2024.

Date: 08/28/2024
New York, NY

SO ORDERED

A handwritten signature in black ink, appearing to read "Robyn", written over a horizontal line.

ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE

This firm represents Respondent Richard Rothberg in connection with the above-referenced proceeding. I am submitting this letter on behalf of both Petitioner and Mr. Rothberg. Attached is a Stipulation addressing Mr. Rothberg's consensual production of information and documents requested by Petitioner and the confidentiality of same. The parties request the Court So Order the Stipulation. In addition, Petitioner and Mr. Rothberg request the Court hold this matter in abeyance for 90 days or such shorter period as the Court deems appropriate, in order to allow Mr. Rothberg to produce the agreed upon information and documents and bring this matter to a conclusion. We are confident that with such time, the parties will be able to resolve this matter in its entirety, without further Court intervention.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Daniel I. Goldberg", written over a horizontal line.

Daniel I. Goldberg

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Application of EDUARDO COHEN
WATKINS for an Order Pursuant to 28 U.S.C.
§ 1782 to Conduct Discovery for Use in Foreign
Proceedings

Case No: 1:24-mc-22-JGK-RFT

**STIPULATION AND [PROPOSED] ORDER REGARDING
THE PRODUCTION OF DOCUMENTS**

WHEREAS Petitioner Eduardo Cohen Watkins and Respondent Richard Rothberg have been engaging in good faith negotiations to reach a negotiated resolution of this matter; and

WHEREAS, Petitioner represents and warrants that the parties to the Swiss Actions, as defined in the Petition (ECF No. 6, “Swiss Actions”), have been given notice of this petition;

WHEREAS, Respondent has, without waiving any objections, agreed to voluntarily produce certain documents and information.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. Respondent, through his counsel, has provided certain information to Petitioner’s counsel in telephone calls on July 19th and July 22nd and has further agreed to share certain information requested by Petitioner and identified on a separately prepared and agreed-upon Schedule A (the “Information”).

2. Respondent has agreed to produce the requested documents identified on Schedule A (the “Documents”).

3. Based upon the representations made by Respondent, Petitioner, in good faith, does not presently intend to seek any additional information or documents from the Respondent pursuant to this Petition, whether through the deposition of Respondent or otherwise, beyond the Information and Documents, but reserves the right to seek additional information or documents

in the future should he learn of the likely existence of additional relevant information in Respondent's possession, custody, or control. Both parties reserve all rights and objections with respect to any such future request.

4. Petitioner will not use any Information or Documents produced by Respondent pursuant to this Stipulation except:

- a. for purposes of the Swiss Actions;
- b. for purposes of another matter or proceeding in which such Information or Document has been publicly disclosed through no wrongdoing by Petitioner;
- c. under seal to support a motion pursuant to paragraph 6; or
- d. if such document is made public through no wrongdoing by Petitioner.

5. Except as provided in Paragraph 4, Petitioner will not disclose any Information or Documents produced by Respondent pursuant to this Stipulation except:

- a. to his family members, counsel, accountants or other professionals retained by him in connection with the issues in the Swiss Actions, and then only to the extent they are bound by restrictions on use and disclosure at least as stringent as those contained herein; or
- b. as required by law or court order.

6. Nothing herein prevents Petitioner from, on notice to Respondent (a) seeking a court order lifting or modifying the restrictions on use or disclosure contained herein in an appropriate case; or (b) seeking a court order requiring Respondent to produce follow up information or documents in an appropriate case. Nothing herein prevents Respondent from opposing any such relief.

Dated: New York, New York
August 27, 2024

SUSMAN GODFREY L.L.P.

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